



City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

NOTICE OF ACTION

City Council - Evening Session

Wednesday, September 12, 2012 - 7:01 PM

W. H. "Billy" Hobbs, Jr.
Will Moffett
Chris Snead

Christopher G. Stuart
Donnie R. Tuck
George E. Wallace

Molly Joseph Ward, Mayor

Staff:

Mary Bunting, City Manager
Cynthia Hudson, City Attorney
Katherine K. Glass, CMC, Clerk of Council

CALL TO ORDER/ROLL CALL

Molly Joseph Ward presided.

Upon Roll Call the following members were present:

PRESENT: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

INVOCATION - Councilwoman Chris Snead

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

1. 12-0354 Presentation of Distinguished Citizen Award to Gold Medal Olympian Francena McCorory

ACTION: Presented by Mayor Ward.

CONSENT AGENDA

CONSENT ITEMS

2. 12-0331 Approval of the Minutes from the evening session of June 13, 2012; and the afternoon, public comment, and evening session of August 8, 2012.

ACTION: Approved on the consent agenda.

MOVER: Councilmember W. H. "Billy" Hobbs, Jr.

SECONDER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

3. 12-0334 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation in the 2012-2013 Homeless Intervention Program through the Hampton Department of Human Services from the Virginia Department of Housing and Community Development.

ACTION: Approved - this item was pulled from the consent agenda by Councilman Moffett for separate vote to allow additional information to be presented.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember Christopher G. Stuart

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

4. 12-0335 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation in the 2013 Emergency Solutions Grant through the Hampton Department of Human Services from the Virginia Department of Housing and Community Development.

ACTION: Approved - this item was pulled from the consent agenda by Councilman Moffett for separate vote to allow additional information to be presented.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember Christopher G. Stuart

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

5. 12-0336 Resolution Authorizing FY12 Fourth Quarter Budget Adjustments

ACTION: Approved - this item was pulled from the consent agenda by Councilman Tuck with a request for additional information.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember Chris Snead

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

6. 12-0337 Resolution Authorizing an Advance of \$100,000 to the North King Street Phase II Project from the City's General Fund Unassigned Fund Balance to be Returned to the General Fund Unassigned Fund Balance from the Proceeds of the City's 2013 General Obligation Bond Series when Issued

ACTION: Approved - this item was pulled from the consent agenda by Councilman Tuck with a request for additional information.

MOVER: Councilmember Will Moffett

SECONDER: Councilmember Chris Snead

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

7. 12-0338 Resolution Appropriating Anticipated State VDOT Revenues of \$1,000,000 to the King Street Master Plan Project and \$750,000 to the North King Street Phase II Project

ACTION: Approved on the consent agenda.

MOVER: Councilmember W. H. "Billy" Hobbs, Jr.

SECONDER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

8. 12-0350 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the Highway Safety Grant (Selective Enforcement - Speed) Through the Commonwealth of Virginia Department of Motor Vehicles.

ACTION: Approved on the consent agenda.

MOVER: Councilmember W. H. "Billy" Hobbs, Jr.

SECONDER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

9. 12-0351 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the Highway Safety Grant (Selective Enforcement - Occupant Protection) through the Commonwealth of Virginia Department of Motor Vehicles.

ACTION: Approved on the consent agenda.

MOVER: Councilmember W. H. "Billy" Hobbs, Jr.

SECONDER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

10. 12-0353 Resolution Appropriating Funds for Uncompleted Capital Projects Funded with General Funds, Stormwater Funds, Economic Development Funds and Industrial Development Authority Funds.

ACTION: Approved on the consent agenda.

MOVER: Councilmember W. H. "Billy" Hobbs, Jr.

SECONDER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

CONDITIONAL PRIVILEGE

11. 12-0330 Conditional Privilege Application No. 128-2012: Proposal by Zero's Subs, Inc T/A The Jewish Mother Deli & Grille to provide live entertainment at 2 Towne Centre Way (LRSN 4004599).

ACTION: Presented by Alison Alexander, City Planner.

ACTION: Held Public Hearing - there were no speakers on the item.

ACTION: Approved subject to 10 conditions.

MOVER: Vice Mayor George E. Wallace

SECONDER: Councilmember W. H. "Billy" Hobbs, Jr.

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

OTHER PUBLIC HEARINGS

12. 12-0349 Public hearing to review the 2011-2012 Community Development Block Grant (CDBG) and HOME Investment Partnership Program performance and to obtain the views of citizens on housing and community development needs in Hampton.

ACTION: Presented by Amanda F. Olwig, Grant Clerk.

ACTION: Held Public Hearing - Michael Golden, Jr. indicated that he signed up for this item in error and had questions on an earlier item dealing with North King Street. The City Manager indicated that Tony Reyes, the Public Works Director, can assist him.

Hugh Bassette requested that the same amount of loan money should be available to citizens without regard to where they live.

The item required no action by Council other than conducting the public hearing.

GENERAL ITEMS

APPOINTMENTS

13. 12-0275 to consider appointments to the Planning Commission.

ACTION: Deferred (10/10/2012)

MOVER: Vice Mayor George E. Wallace

SECONDER: Councilmember Chris Snead

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

14. 12-0340 to consider an appointment to the Finance Committee

ACTION: Reappointed George Spade for a second two year term which will expire on September 30, 2014.

MOVER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

15. 12-0341 to consider an appointment to the Hampton Employees Retirement System Board

ACTION: Appointed William "Bill" Hunter Benson, Jr. to fulfill the unexpired portion of S. William Rhode which will expire on June 30, 2013.

MOVER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

16. 12-0342 to consider appointments to the Hampton Clean City Commission

ACTION: Appointed Alan Rogers and Theresa Sellers to replace Brittany Sherrod and Melva N. Woods fulfilling terms which expire on January 31, 2016.

MOVER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

17. 12-0343 to consider appointments to the Peninsula Stadium Authority

ACTION: Reappointed Wanda Gomes, Tim Smith, and A. G. Womble to their second four year terms which will expire on September 30, 2016.

MOVER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

18. 12-0344 to consider an appointment to the Building Code Board of Appeals

ACTION: Deferred (10/10/2012)

MOVER: Vice Mayor George E. Wallace

SECONDER: Councilmember Chris Snead

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

19. 12-0345 to consider an appointment to the Animal Control Advisory Committee

ACTION: Reappointed James R. Thornton for an additional three year term expiring on August 31, 2015. Mr. Thornton is also the SPCA representative on this committee.

MOVER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

20. 12-0346 to consider an appointment to the Peninsula Agency on Aging

ACTION: Appointed Celestine Carter for a three year term expiring on September 30, 2015.

MOVER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0
OUT: 0

- 21.** 12-0347 to consider appointments to the Hampton Federal Area Development Authority

ACTION: Appointed Charlene Ann Clark to succeed Kevin Van Sloten for the unexpired portion of his term which expires on November 30, 2014, and reappointed Philip Egert to his first four year term which will expire on November 30, 2016, and reappointed Chris Jacobson to his second four year term which will expire on November 30, 2016.

MOVER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

- 22.** 12-0355 Resolution Supporting Restoration of State Funding for Aid to Localities

ACTION: Approved as amended - the words 'revenue collections' in the second to the last whereas clause will be replaced with the words 'real estate assessments'

MOVER: Councilmember Christopher G. Stuart

SECONDER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

- 23.** 12-0356 Resolution Concerning Line of Duty Act

ACTION: Approved as amended - the title will be changed to Resolution Concerning Line of Duty Act and the word 'state' will be added to the last paragraph

MOVER: Councilmember Chris Snead

SECONDER: Vice Mayor George E. Wallace

AYES: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

NAYS: 0

ABSTAIN: 0

OUT: 0

MISCELLANEOUS NEW BUSINESS

Councilman Tuck indicated a number of disabled residents addressed Council in July and suggested that perhaps disabled citizens should be allowed to call in during Council meetings. The City Manager indicated that she will look into it.

ADJOURNMENT

The meeting adjourned at 8:14 p.m.

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov